## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			14-Mar-08		APPL. S. N:		10821367	
o Exami	ner:		HYUN, SOON-DONG		Art Unit		2616	
rom			Jefferson, Henry PARALEGAL SPCECIALIS	r	Return This Memo To: 0 Drop-Off Location	Case	JEF-2D68	
SUBJECT	Γ: Decisio	on on Terminal	Disclaimer(T.D.) filed:					
orm para or have a	agraphs i Iny quest	dentified by the	nis informal memo in your se me or the Special Progr	next C ram Ex	ffice action to notify app aminer. THIS IS AN INFO	licant of th DRMAL, IN		
olease in	itial, date	and return th	is memo to me. THANK Y	ου.			•	
区	The T.D.	is PROPER an	d has been recorded (see	14.23)			•	
	The T.D.	is NOT PROPE	R and has not been accep	ted for	the reason(s) checked b	elow (see	e 14.24):	
		The TD fee of	·	ıbmitte	d nor is there any author	rization in	the application file for the	
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
			s the enforceable only du ting rejection, Rule 321(b			- needed	to overcome a non-statutory	
	Γ.	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
	$\Gamma$	The person w	ho signed the T.D.:					
		is no	ot an attorney "of record"	(see 1	4.29 and 14.29.01).		•	
		has	failed to state his/her cap	acity t	o sign for the business er	ntity (see	14.28).	
		is no	ot recognized as an office	of the	assignee (see 14.29 & p	ossible 14	1.29.02).	
٠		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						
	Γ.	The T.D. is no	ot signed (see 14.26 & 14	.26.03	).			
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).						
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
		The period di	sclaimed is incorrect or no	t speci	fied (see 14.26, 14.27.0	2 or 14.26	5.03).	
		Other:				-		
	$\Box$ .		request refund (see 14.3 neck this item.	6). NO	TE: If already authorized	l, credit re	efund to deposit account	
have ap	propriate	ely notified app	olicant(s) of the status of	the Ter	minal Disclaimer filed in	this case.		
x.Initial	s:	Date	e:	•			Log Date:	

Application Number	10/821,367		Reexamination  NIU ET AL.			
Document Code - DISQ		Internal D	ocument – DC	cument – DO NOT MAIL		
TERMINAL DISCLAIMER	⊠ APPROV	'ED	☐ DISAPP	☐ DISAPPROVED		
Date Filed : February 28, 2008	to a Te	nt is subject erminal laimer				
		•				
Approved/Disapproved by:						
Henry D. Jefferson						

U.S. Patent and Trademark Office

PTO/SB/26 (12-07)
Approved for use through 12/31/2007. OMB 0651-0031
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REJECTION OVER A "PRIOR" PATENT	P4509C1							
tn re Application of: I-Sing Roger Niu et al.								
Application No.: 10/821,367								
Filed: 04/09/2004								
For: Method and Apparatus for Improving Data Transmission in Router Fabric Cards through Pseudo- Synchronous Data Switching								
The owner*, Pluris Inc. , of 100 percent interest in the instant application hereby disclalms, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6712312 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.								
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.								
Check either box 1 or 2 below, if appropriate.	!							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, otc.), the undersigned is empowered to act on behalf of the business/organization.								
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
2. The undersigned is an attorney or agent of record. Reg. No. 35074	·							
/Donald R. Boys/	02/28/2008							
Signature	Date							
/Donald R. Boys/								
Typed or printed name								
	831-768-1755							
	Telephone Number							
Terminal disclaimer fee under 37 CFR 1.20(d) included.	Terminal disclaimer fee under 37 CFR 1.20(d) included.							
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
*Statement under 37 CFR 3.73(b) Is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.								

This collection of information is required by 37 CFR 1.321. The Information Is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.